

**MINUTES OF THE DRAPER CITY ZONING ADMINISTRATIVE HEARING
MEETING HELD ON THURSDAY, MAY 7, 2020 IN THE DRAPER CITY
ADMINISTRATIVE CONFERENCE ROOM**

Staff Present:

Jennifer Jastremsky
Maryann Pickering
Russ Fox
Travis Van Ekelenburg
Tom Draper
Brien Maxfield

Present:

Tami Dautel
Eric Anderson
Andy Jones
Greg Wilding
Shauna Hatton-Ward
Page Gardner
Addison Mitton

The meeting was called to order at 3:01pm by Jennifer Jastremsky. She stated they have a full agenda.

1. Electronic Meeting

This meeting will be an electronic meeting pursuant to Draper City Resolution #14-54. As restrictions take place across the State for limiting public gatherings, we want to make sure everyone interested in participating in meetings can do so in a manner they feel most comfortable.

- Listen through our website - <https://www.draper.ut.us/95/Agendas-Minutes>
- Email your comments to planning.comment@draper.ut.us by Noon on the day of the meeting. These will become part of the public record.
- If you wish to speak during the Public Comment or Public Hearings portion of the meeting, please send a request for the Zoom Meeting ID to planning.comment@draper.ut.us by noon, on the day of the meeting.

2. Action Item: Approve Zoning Administrator Meeting Minutes for April 6, 2020 (Administrative Action)

Ms. Jastremsky stated she had reviewed the April 6, 2020 zoning administrator meeting minutes and did not see any changes that needed to be made.

Ms. Jastremsky moved to approve the April 6, 2020 zoning administrator meeting minutes.

3. Action Item: Verizon Wireless Discretionary Right-of-way Small Cell SC3 Discretionary Use Request (Administrative Action) 0.57 min into recording

On the request of Eric Anderson, representing J5 Infrastructure Partners for approval of a utility pole within a discretionary right-of-way in the R3 (Single Family Residential, 13,000 square foot lot minimum zone). The right-of-way is located at approximately at 12617 South Bridgecreek Way. Staff contact is Tom Draper, 801-576-6536, tom.draper@draper.ut.us. Application WF-2020-0010.

Ms. Jastremsky explained this action item was regarding the Verizon Wireless discretionary right of way small cell SC32 discretionary use. This right of way was located at approximately 12617 South Bridgecreek Way. She introduced Tom Draper as the staff contact on this item.

Tom Draper, the staff contact, stated this was a request from Verizon wireless to have discretionary use of the right of way small cell. There would be utility poles to use for the 5G network that looked similar to light poles. He showed pictures of wireless utility poles already installed in Draper City. The utility poles were 30 feet tall. The antennas were not very noticeable or bulky. He showed an aerial picture of the approximate location of where the wireless utility poles would be. He also showed a land use map and zoning map of the same location. He showed a picture of the plan. There had been several public comments submitted.

Ms. Jastremsky stated there were several public comments submitted on this item. One was from the HOA and the other was from a property owner adjacent to the approximate location of the request. Both parties were against the proposal and submitted alternative locations for this plan. An alternative location suggested was on 3rd East and another location given was adjacent to Stonebridge Park. Ms. Jastremsky asked the applicant to address the possibility of moving the location of this pole to either alternative locations. She wanted to know if the applicant thought it was feasible to move the location to somewhere that was not in the middle of a neighborhood.

Eric Anderson, the applicant, thanked Ms. Jastremsky for allowing him to talk on his application. He explained the process they used on all three of their applications. The first step was for the RF engineer to search an area and determine where there were gaps in coverage. They then looked for poles that were already built that they could put their antennas onto. These antennas were small cell, and therefore only covered a small radius of approximately 800-1,000 feet. This meant they could not relocate the pole. If they moved to another area, they would no longer be fixing the gap in coverage in the area that needed it. They were originally going to put an antenna on a Rocky Mountain Power pole at northeast corner of 300 East and Stone Bridge Drive. Their application was declined on the pole because Rocky Mountain Power was planning on putting a meter reader on the pole. Then they looked at property on 300 East, but they were unable to put a pole there due to the telecommunication lines being in the way. They finally decided on the current location because there was plenty of room in the park strip, there was a wide street, the right of way was right at 60 feet, there were no trees, there are no utilities, and it was right next to the pinpoint of the gap in coverage.

Ms. Jastremsky asked what the antennas radius was.

Mr. Anderson replied the antenna radius varied. Antennas could have a radius of up to 1,000 feet, but this specific one was closer to 500 feet. The radius depended on how big the gap in coverage was.

Ms. Jastremsky stated some residents were worried about health risks due to wireless towers. She asked if he could speak more on this.

Mr. Anderson replied there was no evidence suggesting these wireless towers were harmful to health. There were numerous studies from organizations such as the WHO that concluded these towers did not have any harmful effects to a person's health. He mentioned these towers would be 4G towers with the potential to become 5G towers in the future. If they changed the towers to 5G, they would have to edit the application.

Ms. Jastremsky commented federal, state, and City code provided guidelines for these towers. An application can only be denied if there was clear evidence suggesting there was a viable alternative location. The application looked at multiple locations and found no other viable option.

Ms. Jastremsky moved to approve the Discretionary Use Cell Site SC3 request made by Eric Anderson representing J5 Infrastructure Partners located at approximately 12617 South Bridgecreek Way application WF-2020-0010.

4. Action Item: Verizon Wireless Discretionary Right-of-way Small Cell SC4 Discretionary Use Request (Administrative Action) 17:17 min into recording

On the request of Eric Anderson, representing J5 Infrastructure Partners for approval of a utility pole within a discretionary right-of-way in the R3 (Single Family Residential, 13,000 square foot lot minimum zone). The right-of-way is located at approximately at 315 East Pheasant View Dr. Staff contact is Tom Draper, 801-576-6536, tom.draper@draper.ut.us. Application WF-2020-0011.

Ms. Jastremsky stated this action item was for the Verizon Wireless discretionary right of way small cell SC4 discretionary use request located at approximately 315 East Pheasant Drive. Mr. Draper was the staff contact on this item.

Mr. Draper stated this location was just South of the S3 location. He showed an aerial view of the property, a land use map, a zoning map, and a site plan.

Mr. Anderson stated the pinpoint process of the gap in service was the same as the previous item. They were unable to find a suitable location they would be able to collocate on. Most strips of land were too narrow because of the telecommunication lines. There were canals on other streets. The location chosen was wide and did not have many conflicting residences.

Ms. Jastremsky did not have any questions on this application.

Ms. Jastremsky moved to approve the Verizon Wireless discretionary right of way small cell site discretionary use request from Eric Anderson representing J5

Infrastructure Partners located at approximately 315 East Pheasant View Drive application WF-2020-0011.

5. Action Item: Verizon Wireless Discretionary Right-of-way Small Cell SC8 Discretionary Use Request (Administrative Action) 23:09 min into recording

On the request of Eric Anderson, representing J5 Infrastructure Partners for approval of a utility pole within a discretionary right-of-way in the RA2 (Residential Agricultural, 20,000 square foot lot minimum zone). The right-of-way is located at approximately at 323 East Stokes Ave. Staff contact is Tom Draper, 801-576-6536, tom.draper@draper.ut.us. Application WF-2020-0017.

Ms. Jastremsky stated this item was a Verizon Wireless discretionary right of way small cell SC8 discretionary use request located at approximately 323 East Stokes Avenue. Mr. Draper was the staff contact for this item.

Mr. Draper explained this was a right of way small cell SC8 discretionary use request for Verizon Wireless. It was located on 300 East and Stokes. He showed an aerial view of the property, the land use map, the zoning map, and the site plan.

Mr. Anderson commented there was another application right next to the dog park to the north. There was a tower already on 138 South. This application also had a gap in coverage and there were no available locations to collocate. Other locations messed with utilities. The planned-on location was the only viable option. They did not want to be so close to homes, but they would be going between lot lines. They tried to be sensitive to locations of homes, but this was the only suitable area.

Ms. Jastremsky stated residents had concerns because there was a charter school nearby. Parents were worried children would play on these towers. She wondered what kind of safety precautions they would take with these towers.

Mr. Anderson replied it was only 18 inches wide at its widest part. It was no thicker than other utility poles, and therefore had the same potential of children playing on it as a traffic light pole.

Ms. Jastremsky moved to approve the Verizon Wireless discretionary right of way small cell site discretionary use request from Eric Anderson representing J5 Infrastructure Partners located at approximately 323 East Stokes Avenue application WF-2020-0017.

Ms. Jastremsky thanked the applicant for answering all of her questions and thanked those who submitted public comments.

6. Action Item: Noorda Lot Line Adjustment (Administrative Action) 30:25 min into recording

A request by Gus Sharpy for approval of a Lot Line Adjustment between two existing lots on 12733 S Costanza Way. Both lots are part of the Noorda

Subdivision. The properties are currently zoned RA2 (Residential Agricultural, 20,000 square foot lot minimum) and the request will adjust a common lot line. Staff Contact: Travis Van Ekelenburg, 801-576-6522 travis.vanekelenburg@draper.ut.us. Application SUBD-942-2020.

Ms. Jastremsky explained this was a lot line adjustment between two existing lots on 12733 South Costanza Way. The staff contact for this item was Travis Van Ekelenburg.

Travis Van Ekelenburg, the staff contact, stated Gus Sharry was requesting approval for a lot line adjustment for two existing lots on 12733 South Constanza Way. Both lots were part of the Noorda Subdivision and were in the RA2 zone or the Residential Agricultural Zone. This zone had a minimum lot size of 20,000 square feet. The request would adjust a common lot line on the two properties. The purpose of the lot line adjustment was to give both lots access to landscaping and an additional paved area between the two properties. Both lots would keep the minimum lot size for their zone. No violations would be created because of this boundary adjustment. The lot line adjustment would not be complete until a document of signatures was recorded at the County Recorder's office, the completion of drawings and legal descriptions, and approval of the community development department.

Ms. Jastremsky asked if the applicant was in the meeting. He was not. She told Mr. Ekelenburg to tell his applicant he needed to record the warranty deed, and record of survey within 30 days or he would have to reapply.

Ms. Jastremsky moved to approve the lot line adjustment requested by Gus Sharry represented Canyon Engineering application SUBD-942-2020 based on the findings and subject to the conditions found in the staff report dated April 8, 2020.

7. Public Hearing: Steven's Cove Minor Subdivision Request (Administrative Action)

A request by Andy Jones representing Terra Development Group for a minor subdivision to create three lots. All of the proposed lots will be accessed from a new private lane. The property is located at approximately 663 East 12200 South. Staff contact: Maryann Pickering at (801) 576-6391 or maryann.pickering@draper.ut.us. Application: SUBD-788-2019.

Ms. Jastremsky stated this was a public hearing on Steven's Cove Minor Subdivision request located at approximately 663 East 1200 South. Maryann Pickering was the staff contact.

Maryann Pickering stated this property was approximately 1.31 acres and was in the R3 zoning district. The purpose of this application was to create three lots from an existing single lot. She showed an aerial map of the property. The property had been rezoned in April of 2019. They originally wanted four lots, but it was found they would be unable to meet City requirements if the property was split into four lots. The applicant then decided to subdivide the property into three lots. The houses would be built on the eastern section of the property and

would be accessed by a private lane. The lots met the minimum lot size requirement. The criteria for approval recommended were included in the staff report. One neighbor was concerned, but her concerns were addressed.

Ms. Jastremsky asked if the applicant had anything to add.

Andy Jones, the applicant, replied Ms. Pickering did a good job of summarizing the item.

Jennifer Jastremsky opened up the public hearing.

Tami Dautel wondered how close the new land would come to her property. She wondered if there would be a fence between her property and the new property. She wanted to know if there would be any setbacks or any green space between her property and their property. She was told they were single family homes but found out they were being built to hold up to three families in each home. She also wanted to make sure the snow would not be put onto her property. She was curious if the business that was currently run on the property would be continued to be run.

Jennifer Jastremsky closed the public hearing.

Mr. Jones stated the homes were not meant to be three family homes. They would be single-family homes ready for purchase. The current business would no longer be there. There would be space between the lane and Ms. Dautel's property. There would be privacy between each property.

Jennifer Jastremsky moved to approve Steven Cove's Minor Subdivision request made by Andy Jones representing Terra Development group located at 663 East 12200 South application SUBD-788-2019 based on the findings and subject to the conditions of the staff report dated April 27, 2020.

8. **Public Hearing: Silverlou Minor Subdivision (Administrative Action)** A request by Shauna Hatton-Ward for approval of minor subdivision for approximately 1.77 acres located on the east side of Fort Street at 13455 South Fort St. The applicant is requesting that a minor subdivision be approved to allow for the development of three residential lots. Staff Contact: Travis Van Ekelenburg, 801-576-6522, travis.vanekelenburg@draper.ut.us. Application SUBD-546-2019.

Ms. Jastremsky stated this was a public hearing for the Silverlou Minor Subdivision located at 13455 South Fort Street. Mr. Van Ekelenburg was the staff contact.

Mr. Van Ekelenburg explained Shauna Hatton-Ward was requesting a minor subdivision of 3 lots on approximately 1.77 acres. located on the east end of Fort Street at 13455 South Fort Street. The lot already had one house on it, and they would be splitting up the remaining undeveloped parcel into two lots, for a total

of three lots on the parcel. The property was zoned RA2 and had a minimum lot size of 20,000 square feet.

Mr. Draper told Mr. Van Ekelenburg his presentation slides were not changing from the title page.

Mr. Van Ekelenburg worked on fixing that issue so everyone could see his PowerPoint. He fixed it and continued his presentation. All lots would be accessed by a private lane. The applicant was working with an engineer to improve the private lane. The land use map supported this type of use. The subdivision would meet plat requirements.

Ms. Jastremsky asked when the assessment in lieu would go to City Council for approval.

Mr. Van Ekelenburg replied they were trying to get the assessment in lieu to City Council as soon as possible.

Jennifer Jastremsky stated the plans needed to include what they would be doing for the private lane improvements. She asked if the applicants were in the meeting.

Greg Wilding, one of the applicants, stated he did not have anything to add to Mr. Van Ekelenburg.

Shauna Hatton-Ward, one of the applicants, asked if anyone had questions and no one did.

Jennifer Jastremsky opened the public hearing.

Jennifer Jastremsky closed the public hearing.

Jennifer Jastremsky moved to approve the Silverlou Minor Subdivision request made by Shauna Hatton-Ward located at 13455 South Fort Street application SUBD-546-2019 based on the findings and subject to the conditions of the staff report dated April 28, 2020.

9. Adjournment (3:53pm)

Jennifer Jastremsky moved to adjourn the May 7, 2020 Zone Administrator Meeting at 3:53 p.m.